

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**X**

**IN RE METHYL TERTIARY BUTYL ETHER : Master File No. 1:00-1898**  
**PRODUCTS LIABILITY LITIGATION : MDL 1358 (VSB)**

## This Document Relates To:

*Orange County Water District v. Unocal Corporation, et al.,*  
Case No. 04 Civ. 4968 (VSB)

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STIPULATION AND ~~PROPOSED~~ ORDER REGARDING PLAINTIFF ORANGE  
COUNTY WATER DISTRICT'S TIME TO OPPOSE DEFENDANT SOUTHERN  
COUNTIES OIL COMPANY'S MOTION TO DISMISS FOR LACK OF PROSECUTION

**TO THE COURT, TO ALL PARTIES, AND TO THEIR ATTORNEYS OF RECORD:**

WHEREAS, defendant Southern Counties Oil Company (“Southern Counties”) filed a Motion to Dismiss (“Motion to Dismiss”) for Lack of Prosecution (Dkt Nos. 520-522) in the above matter in the Southern District of New York on January 31, 2022;

WHEREAS, under the Federal Rules of Civil Procedure, Rule 6, plaintiff Orange County Water District’s (“OCWD”) time to file an opposition to the motion to dismiss was February 15, 2022;

WHEREAS, pursuant to the parties' stipulation, the Court granted an extension of OCWD's deadline to file an opposition to the motion to dismiss until March 1, 2022 (Dkt No. 525);

WHEREAS, the parties have tentatively agreed to the potential resolution of the issues raised in the motion and the dismissal of OCWD's claims against Southern Counties pending the preparation of appropriate documentation and dismissal;

IT IS HEREBY STIPULATED AND AGREED by and between Southern Counties and OCWD that OCWD's time to file an opposition to the Motion to Dismiss is extended to March 23, 2022.

AGREED TO BY:

Date: Feb.28, 2022

CUMIMINS & WHITE, LLP

By: s/ J. Thomas Gilbert  
J. Thomas Gilbert  
*Attorney for Defendant*  
*Southern Counties Oil Co.*

Date: Feb. 28, 2022

MILLER & AXLINE  
A Professional Corporation

By: s/ Tracey O'Reilly  
Tracey O'Reilly  
*Attorney for Plaintiff*  
*Orange County Water District*

SO ORDERED:

Vernon Broderick  
Hon. Vernon S. Broderick

March 1, 2022

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Dated

*In Re Methyl Tertiary Butyl Ether (MTBE) Products Liability Litigation:  
Orange County Water District v. Unocal Corp., et al., Case No. 04 Civ. 4968*

## PROOF OF SERVICE VIA LEXISNEXIS FILE AND SERVE

I am a citizen of the United States and an employee in the County of Sacramento. I am over the age of eighteen (18) years and not a party to this action. My business address is Miller & Axline, 1050 Fulton Avenue, Suite, 100, Sacramento, California 95825.

On the date executed below, I electronically served the document(s) via File & ServeXpress, described below, on the recipients designated on the Transaction Receipt located on the File & ServeXpress website:

**STIPULATION AND [PROPOSED] ORDER REGARDING PLAINTIFF ORANGE COUNTY WATER DISTRICT'S TIME TO OPPOSE DEFENDANT SOUTHERN COUNTIES OIL COMPANY'S MOTION TO DISMISS FOR LACK OF PROSECUTION**

I declare under penalty of perjury that true and correct copies of the above document(s) were served via File & ServeXpress on November 26, 2019.

/s/ *Kathy Herron*  
**KATHY HERRON**